

Amendment No. 1 to HB0274

Lamberth  
Signature of Sponsor

**AMEND Senate Bill No. 197\***

**House Bill No. 274**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(v)

(1)

(A) If a person is sentenced for commission of first degree murder or second degree murder, the person's first release eligibility date shall occur after service of thirty (30) calendar years if:

(i) The offenses occurred before the person was eighteen (18) years of age; and

(ii) The release eligibility date for the sentence or sentences imposed is greater than thirty (30) years from the date of sentencing.

(B) If a person is sentenced for commission of first degree murder or second degree murder and the person is also sentenced for other offenses, the person's first release eligibility date for all sentences imposed shall occur after service of thirty (30) calendar years if:

(i) The first degree murder or second degree murder and all other offenses occurred before the person was eighteen (18) years of age; and

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(ii) The judge ordered that the other sentences run consecutively or concurrently to the first degree murder or second degree murder sentence or sentences.

(C) This subdivision (v)(1) shall also apply to persons receiving a sentence of life without the possibility of parole for the commission of first degree murder that occurred before the person was eighteen (18) years of age.

(2) The sentence or sentences of a person described in subdivision (v)(1) shall be reduced by any sentence reduction credits earned and retained and credit for any time served in a county jail or juvenile facility, but in no event shall these credits operate to make the person eligible for release prior to service of thirty (30) calendar years.

(3) It is the intent of the general assembly that this subsection (v) be retroactive and shall apply to a person described in subdivision (v)(1) whether the offense was committed prior to July 1, 2018, or on or after July 1, 2018.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.